UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,708	11/30/2001	Luyin Zhao	US010602 (702787)	8656

24737	7590	11/07/2006

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EXAMINER
LAZARO, DAVID R

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/015,708	ZHAO ET AL.
	Examiner	Art Unit	
	David Lazaro	2155	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 September 2006</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,4-18 and 21-23</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,4-18 and 21-23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20061103

DETAILED ACTION

1.   This office action is in response to the RCE filed 09/07/06.

2.   Claims 1, 5, 9, 10 and 18 were amended.

3.   Claims 2, 3, 19 and 20 are canceled.

4.   Claims 1, 4-18 and 21-23 are pending in this office action.

Response to Amendment/Arguments

5.   Applicant's arguments filed 09/07/2006 have been fully considered but they are

not persuasive.

6.   On pages 9-10 of the remarks, applicant seems to generally argue that the

combination of references lack suggestion or motivation. Applicant's remarks are

conclusive in nature however, and do not provide any factual evidence or reasoning as

to why there is a lack of motivation. For example, applicant does not provide any

factual evidence against the suggestion/motivation cited by the examiner in the grounds

of rejection.

7.   Additionally, after further analysis, the examiner believes too narrow an

interpretation was given to the teachings of Slaughter (U.S. Patent 6,643,650). As

such, please note that the grounds of rejection reflect the interpretation that the

limitation regarding "*subsequently searching the updated database for the requested*

service in response to the initial search of the database determining that the service is

either not found in the database or the service is found but is not available" is taught by

Slaughter. The Daniels-Barnes reference (U.S. Patent 6,571,277) is no longer relied

upon in showing this limitation is obvious.

8.   This interpretation is based on the teachings of Slaughter in Col. 48, line 66

through Col. 49, line 14. Particularly, Slaughter states in this passage, "*A mechanism*

may be provided to notify a client when a service becomes available..." (Col. 49 lines 3-

5). Based on this, it is clear that the mechanism must therefore know initially whether

service being desired by the client is unavailable. In this regards, Slaughter describes

in Col. 49, lines 10-14, that the messaging for this mechanism occurs in same fashion

as the lookup messages described in Col. 46, line 46 through Col. 48 lines 20. As such,

an initial query to this mechanism would have the desired name of the service, which

would be used to perform an initial search to see if the service is available. The user

would receive a response message with zero or more discovered documents in relation

to the name of the service as dictated in Col. 46, line 46 through Col. 48 lines 20.

Subsequently, if the mechanism of Col. 49, lines 3-5, determines the desired service is

unavailable, the mechanism will make subsequent searches when the database (space)

is updated. In other words, the subsequent searches by this mechanism are responsive

to an initial search determining that the desired service is unavailable. The user will

then be notified of matches to the subsequent search. Based on this evidence, the

teachings of Slaughter are within the scope of the claim language "*subsequently*

searching the updated database for the requested service in response to the initial

search of the database determining that the service is either not found in the database

or the service is found but is not available".

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims 1, 4-18 and 21-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent 6,643,650 by Slaughter et al. (Slaughter) in view of

"UDDI Technical White Paper" September 6, 2000, from uddi.org (UDDI-WP) and U.S.

Patent 5,974,406 by Bisdikian et al. (Bisdikian).

11.   With respect to Claim 1, Slaughter teaches a method for obtaining business

service information over the Internet (Col. 8 lines 43-67), the method comprising:

       at least one service provider registering a business (Col. 1 lines 46-61 and Col.

78 lines 36-44) service with a server and storing the same in a database (Col. 45 lines

21-49);

       a user requesting a business service from the server (Col. 46 lines 46-63 and

Col. 48 lines 44-59);

       initially searching the database for the requested service (Col. 46 line 64 - Col.

47 line 38 and Col. 49 lines 1-14);

       updating the database (Col. 48 line 44 - Col. 49 line 27);

       notifying the user of the results of the initial search (Col. 49 lines 1-14 and Col.

46 line 46 through Col. 48 line 20);

subsequently searching the updated database for the requested service in

response to the initial search of the database determining that the service is either not

found in the database or the service is found but not available (Col. 49 lines 1-14 and

Col. 46 line 46 through Col. 48 line 20); and

notifying the user of the results of the subsequent search (Col. 49 lines 1-14 and

Col. 46 line 46 through Col. 48 line 20).

Slaughter does not explicitly disclose the server is a UDDI server. UDDI-WP

teaches a UDDI server can be used for registering services and providing a business

registry for locating the registered services (Page 2, "UDDI business registrations..."

and "Using UDDI"). Use of UDDI provides for a uniform service description format and

service discovery (Page 3, Fig. 1).

Slaughter does not explicitly disclose the user is notified by e-mail. Bisdikian

teaches notification of search results can comprise sending an e-mail to the interested

user (Col. 2 lines 19-24 and lines 45-50; Col. 3 lines 34-40; Col. 4 lines 15-26; and Col.

5 line 54-65).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the method disclosed by Slaughter and modify it as

indicated by UDDI-WP and Bisdikian such that the server is a UDDI server and notifying

the user by e-mail of the results of the initial search; and notifying the user by e-mail of

the results of the subsequent search. One would be motivated to have this, as there is

need for locating information about available services and providing uniform standards

for such information (In UDDI-WP: Pages 2 and 3, "Overview" and "Background").

Additionally, it is desirable to provide e-mail notification fir search results (In Bisdikian:
Col. 2 lines 1-24 and Col. 4 lines 15-23).

12.   With respect to Claim 4, Slaughter further teaches the registering further
comprises registering a corresponding service status for the service, and if the
requested service is found in the database from either the initial or the subsequent
search, the corresponding notifying comprises informing the user of the corresponding
service status of the requested service (In Slaughter: Col. 49 lines 3-14).

13.   With respect to Claim 5, Slaughter further teaches if the requested service is not
found in the database from either the initial or the subsequent search, the
corresponding notifying comprises informing the user that the requested service is not
registered with the server (In Slaughter: Col. 49 lines 3-14 and Col. 47 lines 39-58).

14.   With respect to Claim 6, Slaughter further teaches storing the request for the
service in the database for subsequent search (In Slaughter: Col. 48 line 44 - Col. 49
line 27).

15.   With respect to Claim 7, Slaughter further teaches notifying the user that the
service request has been stored (In Slaughter: Col. 22 lines 28-37 and Col. 48 lines 51-
59).

16.   With respect to Claim 8, Slaughter does not explicitly teach notifying that the
service request has been stored comprises sending an e-mail to the user indicating the
storage of the service request. Bisdikian teaches notification of a service can comprise
sending an e-mail to the user (Col. 3 lines 34-40 and Col. 5 line 54-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Slaughter and modify it as indicated by Bisdikian such that the notifying that the service request has been stored comprises sending an e-mail to the user indicating the storage of the service request. One would be motivated to have this, as it is desirable to give the user notification instead of requiring the user to determine the information on their own (Col. 2 lines 1-10 of Bisdikian).

17.   With respect to Claim 9, Slaughter further teaches the registering further comprises registering a corresponding service status for the service, and if the requested service is found on the UDDI server in the initial search and the service status indicates that the service is available, the corresponding notifying of the initial search results comprises informing the user that the requested service is available (In Slaughter: Col. 49 lines 3-14 and Col. 47 lines 39-58) *and note* (In UDDI-WP: Page 2, "UDDI business registrations..." and "Using UDDI").

18.   With respect to Claim 10, Slaughter further teaches the registering further comprises registering a corresponding service status for the service, and if the requested service is found on the UDDI server in the initial search and the service status indicates that the service is unavailable, the corresponding notifying of the initial search results comprises informing the user that the requested service is unavailable (In Slaughter: Col. 49 lines 3-14 and Col. 47 lines 39-58) *and note* (In UDDI-WP: Page 2, "UDDI business registrations..." and "Using UDDI").

19.   With respect to Claim 11, Slaughter further teaches storing the request for the

service in the database (In Slaughter: Col. 48 line 44 - Col. 49 line 27).

20.   With respect to Claim 12, Slaughter further teaches notifying the user that the

service request has been stored (In Slaughter: Col. 22 lines 28-37 and Col. 48 lines 51-

59).

21.   With respect to Claim 13, Slaughter does not explicitly teach the notifying that the

service request has been stored comprises sending an e-mail to the user indicating the

storage of the service request. Bisdikian teaches notification of a service can comprise

sending an e-mail to the user (Col. 3 lines 34-40 and Col. 5 line 54-65).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the method disclosed by Slaughter and modify it as

indicated by Bisdikian such that the notifying that the service request has been stored

comprises sending an e-mail to the user indicating the storage of the service request. ·

One would be motivated to have this, as it is desirable to give the user notification

instead of requiring the user to determine the information on their own (Col. 2 lines 1-10

of Bisdikian).

22.   With respect to Claim 14, Slaughter further teaches the registering further

comprises registering a corresponding service status for the service, and if the

requested service is not found on the UDDI server in the initial search but found in the

subsequent search and the service status indicates that the service is available, the

notifying of the subsequent search results comprises informing the user that the

requested service has been found in a subsequent search and is available (In

Slaughter: Col. 49 lines 3-14 and Col. 47 lines 39-58) *and note* (In UDDI-WP: Page 2,

"UDDI business registrations..." and "Using UDDI").

23.   With respect to Claim 15, Slaughter further teaches the registering further

comprises registering a corresponding service status for the service, and if the

requested service is not found on the UDDI server in the initial search but found in the

subsequent search and the service status indicates that the service is unavailable, the

notifying of the subsequent search results comprises informing the user that the

requested service has been found in a subsequent search and is unavailable (In

Slaughter: Col. 49 lines 3-14 and Col. 47 lines 39-58) *and note* (In UDDI-WP: Page 2,

"UDDI business registrations..." and "Using UDDI").

24.   With respect to Claim 16, Slaughter further teaches the updating comprises

permitting at least one additional service provider to register with the UDDI server (In

Slaughter: Col. 48 line 44 - Col. 49 line 27).

25.   With respect to Claim 17, Slaughter further teaches the registering further

comprises registering a corresponding service status for the service and the updating

comprises permitting the at least one registered service provider to change the

corresponding service status (In Slaughter: Col. 45 lines 21-49 and Col. 49 lines 3-14).

26.   With respect to Claim 18, Slaughter teaches a system for obtaining service

information over the Internet (Col. 8 lines 43-67), the system comprising:

        a server having a memory operatively connected thereto for storing a database

of services by service providers (Col. 45 lines 21-49);

means for receiving a request for a business (Col. 1 lines 46-61 and Col. 78 lines 36-44) service by a user (Col. 46 lines 46-63 and Col. 48 lines 44-59);

means for initially searching the database for the service request (Col. 46 line 64 - Col. 47 line 38 and Col. 49 lines 1-14);

means for updating the database (Col. 48 line 44 - Col. 49 line 27);

means for notifying the user of the results of the initial search (Col. 49 lines 1-14 and Col. 46 line 46 through Col. 48 line 20);

means for subsequently searching the updated database for the requested service in response to the initial search of the database determining that the service is either not found in the database or the service is found but not available (Col. 49 lines 1-14 and Col. 46 line 46 through Col. 48 line 20); and

means for notifying the user of the results of the subsequent search (Col. 49 lines 1-14 and Col. 46 line 46 through Col. 48 line 20).

Slaughter does not explicitly disclose the server is a UDDI server. UDDI-WP teaches a UDDI server can be used for registering services and providing a business registry for locating the registered services (Page 2, "UDDI business registrations..." and "Using UDDI"). Use of UDDI provides for a uniform service description format and service discovery (Page 3, Fig. 1).

Slaughter does not explicitly disclose the user is notified by e-mail. Bisdikian teaches notification of search results can comprise sending an e-mail to the interested user (Col. 2 lines 19-24 and lines 45-50; Col. 3 lines 34-40; Col. 4 lines 15-26; and Col. 5 line 54-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Slaughter and modify it as indicated by UDDI-WP and Bisdikian such that the server is a UDDI server and the system further comprises means for notifying the user by e-mail of the results of the initial search; and means for notifying the user by e-mail of the results of the subsequent search. One would be motivated to have this, as there is need for locating information about available services and providing uniform standards for such information (In UDDI-WP: Pages 2 and 3, "Overview" and "Background"). Additionally, it is desirable to provide e-mail notification fir search results (In Bisdikian: Col. 2 lines 1-24 and Col. 4 lines 15-23).

27.   With respect to Claim 21, Slaughter further teaches a memory for storing the request if the requested service is not found in the database in the initial search (Col. 48 line 44 - Col. 49 line 27).

28.   With respect to Claim 22, Slaughter further teaches the means for updating comprises means for permitting at least one additional service provider to register with the UDDI server (Col. 48 line 44 - Col. 49 line 27).

29.   With respect to Claim 23, Slaughter further teaches the at least one service provider further registers a corresponding service status for the service and the means for updating comprises means for permitting the at least one registered service provider to change the corresponding service status (Col. 45 lines 21-49 and Col. 49 lines 3-14).
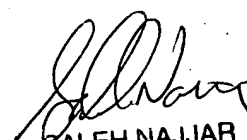
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

David Lazaro
November 3, 2006

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER